

5:06CV3

Defendant.

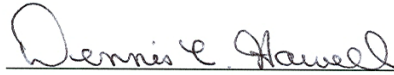
$$\begin{pmatrix}) \\) \\) \\) \\) \\) \\) \\) \end{pmatrix}$$

JUDGMENT

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the motion of the defendant, Jo Anne B. Barnhart, the Commissioner of Social Security (“Commissioner”), for entry of judgment under sentence four of 42, United States Code, Section 405(g) (#7) is **ALLOWED**, the final decision of the Commissioner is **REVERSED**, and this matter is **REMANDED** pursuant to Sentence Four of Section 405(g) to the Commissioner for further proceedings not inconsistent with the Memorandum of Decision entered simultaneously herewith.

As there remains no justiciable dispute pending between the parties, the Clerk is instructed to close and terminate this case, except for purposes of consideration and determination of motions for attorneys fees under the Equal Access to Justice Act (hereinafter "EAJA"). Plaintiff shall have thirty (30) days from final judgment in which to file any motion for attorneys fees under EAJA and the parties shall have thirty (30) days from the filing of any such motion to either brief any dispute or resolve the issue of fees amicably.

Signed: March 20, 2006

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Dennis L. Howell
United States Magistrate Judge

